

SUMMARY ANALYSIS OF AMENDED BILL

Author: Spitzer Analyst: Deborah Barrett Bill Number: AB 2928
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: May 23, 2008
 Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: California Department Of Corrections To Contract With FTB For Collection Of
 Restitution Orders Owed By Prisoners

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous
 analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the
 previous analysis of bill as introduced/amended _____.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED

☒ April 3, 2008, STILL APPLIES.

OTHER – See comments below.

SUMMARY

This bill would authorize the California Department of Corrections and Rehabilitation (CDCR) to refer restitution orders to the Franchise Tax Board (FTB) for collection for anyone under CDCR jurisdiction.

SUMMARY OF AMENDMENTS

The May 23, 2008, amendments would allow a victim to contact CDCR to withdraw a restitution order from collection at any time and limit the bill's provisions to restitution orders against a person who is under CDCR jurisdiction. The May 23, 2008, amendments resolve the "Implementation Considerations" identified in the department's analysis of the bill as amended April 3, 2008. The "This Bill" discussion is revised. The remainder of the department's analysis of the bill as amended April 3, 2008 still applies.

POSITION

Pending.

Board Position:

_____ S _____ NA _____ NP
 _____ SA _____ O _____ NAR
 _____ N _____ OUA _____ X PENDING

Legislative Director

Date

Brian Putler

6/19/08

THIS BILL

This bill would authorize CDCR to refer restitution orders owed by persons under CDCR jurisdiction to FTB for collection. The person to whom restitution is ordered may decline CDCR's assistance to collect the amount.

FTB would use existing court ordered debt authority to collect the restitution orders in the same manner and using the same tools as used in the collection of tax debts. FTB's costs for collection would be reimbursed from the amounts collected. The balance of the collected amounts would be remitted to CDCR for distribution to the person owed the restitution order.

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